FOR MYSORE STATE

H-27—80,000—4-1-52.

HOME (195 3) Department.

MS SERIES.

G.O. NO. 1116

Dated 5-4-53

[Despatch Abstract.]

COURTS - Criminal - South Kanara district - Trial of cases against certain chit funds - Employment of a Special First Class Magistrate and staff - Sanctioned.

Ref.C3.800/53(2)

S.Kanara Dt.Magistrate's Office,
Mangalore, dated 11--2---1953.

From

Sri C.A.Ramakrishnan, I.C.S.,
Dt.Magistrate of South Kanara.

To

The Secretary to Government,
Home Department,
Fort St.George,
Madras-9.

Sir,

CRIMINAL JUSTICE - South Kanara District - formation of a new court to try cases against the various chit funds in the District - sanction - requested.

During the latter part of 1952, a number of chit funds came to be organised in this district. They were being run on commercial lines. In course of time, some of the chit funds in Mangalore and other parts of the District came to be abandoned by the organisers in suspicious circumstances. In consequence, the public who had invested large sums of money, with the hope of getting some benefit, were put to hardship. and began to send representations to the authorities. The police inquired into these representations and finding that the work involved in investigating into the affairs etc., of such chit funds was large, they got sanctioned special staff for the purpose.

31573
16-2

2. After investigation the police have booked 7 cases and have filed 7 charge sheets before the various I Class Magistrates in the District. A statement showing particulars of the number of witnesses etc, relating to these cases is enclosed for perusal. In all the police have cited 549 witnesses in these cases. The examination of the prosecution and defence witnesses in these cases will last for nearly 90 working days even if a magistrate is to sit continuously for this work alone. As the work of all the I Class Stipendiary Magistrates in this district is heavy, it is not possible to entrust these cases to any one of them. I do not think that it is desirable to entrust these cases to the Honorary I Class Magistrates, as the offences relate to criminal breach of Trust and conspiracy to cheat the public on huge sums of money, and as the strain involved in hearing the cases for so many days continuously will be very severe. The police have also reported that the number of documents to be filed in these cases will be very large and that the cases being first of their kind, are of a complicated nature. Besides, speedy disposal of these cases is essential in the interests of justice and this can only be achieved if a Special I Class Magistrate is appointed solely to try these cases as he will be able to devote his time exclusively for the speedy disposal of these cases. On public grounds, it seems desirable to appoint a Dy.Collector instead of a Additional First Class Magistrate.

3. As these cases have to be taken up continuously, a special prosecutor has also to be appointed to conduct the prosecution.

4. In the circumstances explained above I request that the special staff as detailed below may be sanctioned for a period of 3 months or till the cases are disposed of, whichever is earlier from the date of appointment.

1. Special I Class Magistrate in the grade of a Dy.Collector.
1. Assistant Public Prosecutor Grade II.
1 L.D.C.on Rs.45-90
1 typist on Rs.45-90
1 Attender on 25-35 P.M.
2 peons on Rs.18-25.

5. Orders may also be issued simultaneously sanctioning a typewriter for the office of the Special I Class Magistrate.

Yours faithfully,

For Dt.Magistrate.

STATEMENT OF CHIT FUND CAS S PENDING BEFORE COURT

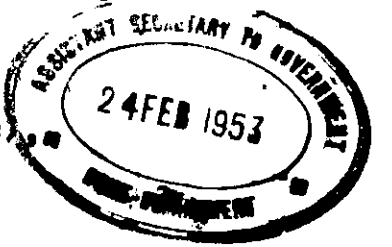
Station and Cr.No.	Date of Registration	Date of commencement of investigation by special staff	Date of charge sheet	Number of accused	Section under which charged	Court and C.C.Number	Number of Witnesses cited in the charge sheet
1	2	3	4	5	6	7	8
1,Mangalore North Cr.No 190/52	9-7-52	12.7.52	1-12-52	Three	120-B.R.W.409 I.P.C.and 409 R.W.34 I.P.C.or 120-B.R.W.420 I.P.C.and 420 I.P.C.R.W.34 IIP.C.	S.D.M. Mangalore	100
2. Mangalore South Cr.No. 59/52	3-3-52	4-7-52	18.9.52	one	409 I.P.C.	A.F.C.M.(S.K.) 463/52	60
3-do- 178/52	17.7.52	15.9.52	1.12.52	one	409 or 420 I.P.C.	S.D.M.Mangalore	79
4.Kasargod Cr. No.83/52	27.3.52	3-10-52	6-12-52	two	120-B.R.W.409 I.P.C. & 409 R.W.34 I.P.C.or 120-B.R.W.420 I.P.C. & 420 R.W.34 I.P.C.	A.F.C.M.(S.K.)	93
5. Hosdrug Cr. No.26/52	7-3-52	9-12-52	28-12-52	one	420 I.P.C.	-do-	74
6. Puttur Cr. No.11/52	11-2-52	22-12-52	29-12-52	one	409 or 420 I.P.C.	S.D.M.Puttur	75
7.Udipi Cr. No.35/52	27-2-52	10-12-52	29-12-52	Two	120B R.W.409 I.P.C. & 409 R.W.34 I.P.C.or 120B R.W.420 I.P.C. and 420 R.W.34 I.P.C	S.D.M.Coondapur	68

/True copy/

for Dt. Magistrate

5

R.O.C.No.1116/53-M2



From

Sri V. Gopala Ayyar, B.A., B.L.,
Assistant Registrar (Appellate Side),
High Court, Madras.

To

The Secretary, Board of Revenue,
Chepauk, Madras (with enclosures)

Sir,

Dated:- 20th February 1953.

38695
24/2/53.

Subject:- COURTS - Criminal - South Kanara District - Trial of cases against Chit funds - Special First Class Magistrate and staff - Appointment of - Remarks of the Board of Revenue - called for.

blank.

I am to forward a copy of letter Ref. C.3.800/53(2) dated 11-2-53 from the District Magistrate, South Kanara on the subject cited and to request you to obtain and forward to this Court the remarks of the Board of Revenue at an early date.

V. Gopalayyar

ASSISTANT REGISTRAR (APP. SIDE)

23

To

Copy to the Secretary to Government, Home Department,
Fort St. George, Madras.

Rec'd 25.2.53 AR

6

Home Deptt

Please see the letter from the Dr. M. Sparth Kamara on p1 ante and the copy of the High court's letter on p5 ante. The remarks of the Board of Revenue and the High court may be awaited till 30.3.53

26/2/53 26/2/53

Gl 27/2

Dr no' cls III

copy received. 26.2.53 p1 of pet for take up separate admn w (illegible) Appl Cn II

R.O.C.No.1116/53-E2.

From

Sri R. Jayaram Ayyar, M.A., B.L.,
Registrar, High Court, Madras.

62656

The Secretary to Government,
Home Department, Fort St.George,
MADRAS. (with enclosure).

Dated the 20th March 1953.

Sir,

Sub: Courts - Criminal - South Kanara District - Trial of cases against chit funds - Appointment of a Special First Class Magistrate and staff - Proposals - Recommended.

Ref: Letter Ref.C3.800/53(2) dated 11-2-1953 from the District Magistrate, South Kanara (sent to Government direct) and this Court's letter R.O.C.No.1116/53-E2 dated 20-2-1953 to the Secretary, Board of Revenue (copy sent to Government)

I am to forward a copy of letter B.P.Rt.1950/53 dated 10-3-1953 from the Board of Revenue on the subject cited and to state that the Hon'ble the Judges support the recommendation of the Board of Revenue contained therein.

2 The extra cost involved will be met from the existing appropriation under '27. h. Criminal Courts.

I have the honour to be,
Sir,
Your most obedient servant,

REGISTRAR.

Copy to:
The District Magistrate, South Kanara District.

tmv.

9

Proceedings of the Board of Revenue, Madras.

Sri W.R.S. Sattianathan, I.C.S.,
Commissioner of Land Revenue

B.P. Rt. 1950/53 D/10-3-53.

Sub: Courts - Criminal (South Kanara) Trial of Cases against ~~the~~ dut funds - Special First Class Magistrates - staff - Appointment - Remarks.

READ: Your letter No.Roc.No.1116/53-E2 dated 20-2-1953.

RESOLUTION:

The Board agrees with the District Magistrate, South Kanara that the employment of a Special First Class Magistrate in the grade of a Deputy Collector and staff and an Assistant Public Prosecutor for a period of three months is necessary for the trial of the seven criminal cases in view of the volume of evidence to be heard and requests that it may be recommended to Government for sanction. A typewriter for the office may also be recommended.

Sd. C.S.Krishnamurthy,
Joint Secretary.

(True copy)

Sub Assistant Registrar,
Administrative Department,
High Court, Madras.

tmv

16

1 Key collection	5-98.3
1 ~~Lace~~	91.5
1 T	101.5
1 Utensils	49.6
2 pens	82-4
	923.3 × 3
	2769.9

Done today
11 Home Dept

draft II

~~Special~~ Memo no. 31573 ctJ II/53-1, Dated 30.3.53

Very urgent

Typewriter - South Kanara district - Supply to Special First class Magistrate's court for trial of cases against certain chit funds.

Ref:- From the High court, R.O.C. no. 1116/53-E Dated 20.3.53

On its letter cited, the High court has recommended the supply of a typewriter for use in the Special First class Magistrate's court proposed to be sanctioned in the South Kanara Dist for a period of 8 mths for the trial of cases against certain chit funds ~~in South Kanara district~~. The Supdt of Stationery Madras is requested to offer his remarks

PT

12

not later than 8/4/53 on the proposal ~~for the supply of typewriters to the Secretariat~~

R 30/3/53

To

The Supdt of Stationery Madras

(with copy of Spl 2 of 1953 and Spl 78 of 53)

R.D. 9.4.53

R 30/3/53

Le. 3.53

30/3/53

188

30/3/53

1540

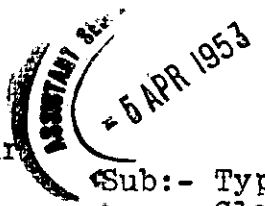
30/3

(Intimated over the phone on 30.3.53)

1

From
Sri M. Bhavanishankar Rao, B.A.,
Superintendent of Stationery i/c,
Madras.1.

To
The Secretary to Government,
Home Department,
Madras.



L.Dis. 8948/53 dated 1-4-1953.

Sir,

Sub:- Typewriter - South Kanara District - Special First Class Magistrate for trial of cases against certain chit - Funds -

Ref:- Government Memorandum No. 31573-Courts 11/53-1 dated 30-3-1953.

The supply of a Standard Typewriter from relief stock is recommended provided the machine is put in charge of a qualified typist.

for Supdt. of Stationery.

71540

kbg/2.4.

[CNo 31573 ch II/53] 7-11 15/Home Dept

(G.O. Ms No 3251 H, Dated 6.9.52)

Read G.O. Ms No 1116 Genl I Dated 5.4.53

Courts - Criminal - South Kanara district - Trial of cases against certain chit funds - Appointment of a Special First class Magte and staff - Sanctioned.

Read:- Proceedings of the Madras Rep. C.3. 800/53(2) Dated 11.2.53

p1 of From the Bd of Rev. B.P. Rt No 1950/53 Dated 10.3.53.

p9 of From the High Court, Roc. No 1116/53-E2 Dated 20.3.53.

p7 of

ORDER:-

The Govt sanction the establishment for a period of three months from the date of appointment or till the need ceases whichever is earlier of the following temporary staff in South Kanara district in connection with the trial of cases against certain chit Funds:-

1 Spl Magte p1 of

(1) One Special First class Magistrate (in the grade of a Deputy Collector)
(2) One lower division clerk
(3) One typist
(4) One attender; and
(5) Travelling allowance

2. The expenditure sanctioned should be debited to the relevant sub-heads of appropriation under "27. Administration of Justice and Criminal Courts."

3. The Bd of Rev is requested to submit proposals to the Govt in the Revenue Dept for the posting of a Dy Coll as Spl Asst. First class Magistrate, sanctioned in para 1(a).

4. Orders regarding the appointment of a A.P.P Grade II and the supply of a typewriter to the Spl F.Cm's court will issue separately.

By Order of the Governor,

[illegible]
Secretary to Government.

To
The Registrar,
High Court, Madras
The D.M. South Kanara, Madras
The Bd of Rev, Madras
The A.G. Madras (with spare Files)

copy to Home (Cts II)

2.3.53 20/3/53

30/3/53

16

15

Note:- Please see the letter from the Dist. South Kanara on p1 cf and the remarks of the Bd of Rev on p9 cf and those of the High court on p7 cf. The extra cost involved in the employment of a Spl F.C.M of the grade of Dy Coll with a staff of one lower division clerk, one typist, one attender & two peons (for a period of three months) comes to Rs 2770/- for three months and the High court has stated that it will be met from the existing appropriation under "21 - Administration of Justice - b Criminal courts". For orders whether the High court's recommendation for the employment of the temp staff as at A also may be accepted. As was done in a similar case relating to the trial of Neemangadi P.C.C. society case, the Bd may be asked to submit proposals to the Govt in the Rev Deptt for the posting of a Dy Coll in the post of the Spl F.C.M. proposed to be sanctioned; especially in view of the fact that the Dist. South Kanara has stated that the cases being the first of their kind are of a complicated nature. The draft order, which provides for this also is submitted.

2. The memorandum Sanctioning an A.P.P grade II for conducting the prosecution in the cases is being dealt with separately in Cts III Section. The question of sanctioning the supply of a typewriter for the use of the Spl Court may be examined in consultation with the Supdt of Stationery. Draft memo below is for after issuing the draft order on plaints may be sent to the Rev and Fin Deptt for acceptance.

A

A

P on p1 cf

Rec for

Memo Cts III Section

28.3.53

30/3/53

30/3/53

Rev Deptt

The draft order

may be accepted

2886 1B

30/3/53

30 3

3 APR 1953

REVENUE DEPARTMENT

Home 31 5 72 Cts 14/53-2

and the file passed on to Fin.

31.3.53

31/3/53

1/4/53

Fin /

Finance Ex.

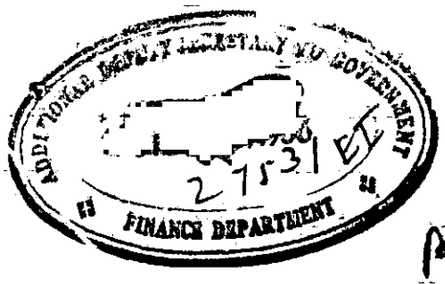
Notes from p. 2 above may be perused. The draft order on p. 1 above may be accepted. (Extra cost is Rs 2800 non-recurring.)

Reg no no 2886(M)/53-1
1.4.53

2/4/53 2.4.53

2/4/53

Home Dept



The draft order on p1 ante may now issue. After issue, the reply of the Supdt. of Sty. to the memo. at pp 11-12 cf. may be awaited Fill 9.4.53.

Fin no 2/1531 ET/53-1
2/4/53

4.4.53

4.4.53

4/4/53

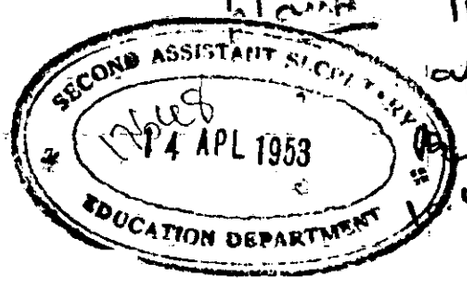
Issued (Issued as G.O. Ms no 1116 Hmne Dated 5.4.53)
(From the Supdt of Stationery Madras.
p 13 cf L. Dis. 8948/53 Dated 1.4.1953)

Please see the Memo to the Supdt. of Stationery on pp 11-12 cf. and his reply on p 13 cf. A draft order sanctioning (the supply of) a typewriter to the cost of the A.F.C.M. sanctioned in G.O. Ms no 1116 Hmne Dated 5.4.53 is submitted for approval. Edn (Fin) may see for acceptance.

7/4/53

10/4/53 Edn/Fin

Issued
14 APL 1953



14.4.53

10.4.53

Edn (E)

Hmne no 31573 ch II/53-3
14.4.53

The draft order placed below may

P.T.O

4/18

E.A.P.

K.T.

be accepted a draft file passed on to Fin. dept

ITR
Asst 4
SR
15/4

18/4/53

Edn. a. a. 17648/53-1
22.4.53

Finance (E.B) Dept.

(Previously seen in Finance on p. 3 above)

The draft ~~bill~~ order below may be accepted.

28/4/53
22.4.53

27/4/53

Home Dept

The draft order below may now issue.

28/4/53

27.4.53

27.4.53

Fin no. 32462 EB-19/25 4/53

JS 1400
28/4/53

(Issued as G.O. No. 1459 Home Dated 29.4.53.)

[Separately docketed]

ADDITIONAL REVENUE SECRETARY TO GOVERNMENT
32462
EB
FINANCE

ACCOUNTANT GENERAL
27 APR 1953
CODE DEPARTMENT

8811